

Remarks

Upon entry of the foregoing Amendment, claims 1-31 are pending in the present application. Claims 1-4, 7-12, 18-22, and 24-28 are amended. No claims are added or cancelled. In view of the foregoing Amendment and following Remarks, allowance of all the pending claims is requested.

Specification

Applicants have amended the specification to recite the U.S. Patent Application Serial Numbers and to correct typographical errors.

Rejections under 35 U.S.C. §§ 102 and 103

The Examiner rejected claims 1, 4, 9, and 18 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,983,317 to Bishop et al. ("Bishop"). The Examiner rejected claims 2, 5-8, 10, 11, and 19-22 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bishop in view of U.S. Patent No. 6,272,537 to Kekic et al. ("Kekic"). The Examiner rejected claim 3 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bishop, in view of Kekic, and further in view of U.S. Patent No. 6,286,038 to Reichmeyer et al. ("Reichmeyer"). The Examiner rejected claim 12 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bishop in view of U.S. Patent No. 6,356,902 to Tan et al. ("Tan"). The Examiner rejected claims 13-17 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Bishop, in view of Tan, and further in view of U.S. Patent No. 6,359,635 to Perttunen ("Perttunen"). The Examiner rejected claims 23-31 under the same rationale as claims 1-22.

Applicants traverse the rejections for *at least* the following reasons.

I. Independent claims 1, 4, 9, 18, 24, 27, and 28

Applicants traverse these rejections for *at least* the reason that the references relied upon by the Examiner fail to disclose, teach, or suggest all of the claim features. For example, the cited portions of Bishop do not disclose *at least* "extracting, by the software agent executing on the first managed networked resource, dependency data from the configuration data," "communicating the dependency data from the software agent to the software manager," and "wherein the software agent is managed by a software manager executing remotely from the first managed networked resource," as recited, for example, in claim 1.

Bishop does not disclose, teach, or suggest the foregoing claim features. In contrast, Bishop appears to describe a Manager Engine State Tracking Component for tracking the state of each Managed Element (ME). Bishop appears to describe that to effectively manage an application and services, the management system must understand the structure, location, and dependencies of the system. Bishop describes two ways for collecting this information. In particular, Bishop describes that a profile may be provided which specifies all of the structure information, but does not specify the resource identifiers. For instance, the profile may specify structure and dependencies. The profile also requires support personal to fill in the blanks not provided in the profile. According to a second method of collecting information, Bishop describes that the management system dumps some of the MEs to provide a base set of information which can be used to analyze the system. See Bishop, e.g., col.9, lines 32-67; col. 27, lines 19-33; and col. 133, lines 18-34.

Even if Bishop is found to describe dependency data, Bishop appears to describe that the dependency data is provided in a profile provided at installation and updated by a user, or by analysis of a dump of one or more

MEs. As a result, Bishop teaches away from extracting, by the software agent executing on the first managed network device, dependency data from the configuration data because it appears that this data would be provided in a profile at installation or extracted by the Manager Engine from ME data. Furthermore, Bishop describes the dependency data is determined at the Manager Engine and not at the ME. As a result, Bishop would not communicate dependency data from a software agent executing on a first managed networked resource to a software manager executing remotely from the first managed networked resource.

For *at least* the foregoing reasons, the rejection of claim 1 based on Bishop is improper and must be withdrawn. Neither Kekic nor Reichmeyer make up for the these deficiencies of Bishop, either alone or in combination with Bishop. Independent claims 4, 9, 18, 24, 27, and 28 include similar subject matter. Accordingly, the rejections of claims 4, 9, 18, 24, 27, and 28 are likewise improper and must be withdrawn for the reasons noted above with respect to claim 1. Claims 2, 3, 5-8, 10, 11, 19-23, 25, and 26 depend from independent claims 1, 4, 9, 18, 24, 27, or 28 and therefore are also patentable for the reasons noted above with respect to claim 1, as well as for the features they recite individually.

II. Independent claims 12 and 29

Applicants traverse these rejections for *at least* the reason that (1) there is no legally proper reason to combine Bishop and Tan; and (2) the references, even if combined, fail to disclose, teach, or suggest all of the claim features.

Tan generally describes a method for data retrieval of multimedia objects by decomposing a tree structure into a graph map and storing the graph nodes into a page memory. In contrast, Bishop generally describes a client-server management system. One skilled in the art at the time of the

invention would not have modified Bishop in view of Tan because Bishop and Tan are non-analogous art and do not reasonably pertain to the same problem.

Furthermore, the cited portions of Bishop and Tan do not disclose *at least* "providing a display area having a linear border," "selecting a root managed device residing in a distributed network for display at a root distance from the border," "displaying a non-root managed device having either a provider or a consumer dependency relationship with the root managed device," and "indenting the representation of the non-root managed device a predetermined distance away from the border, greater than the root distance and dependent upon the length of the dependency relationship," as recited, for example, in claim 12.

The Examiner alleges, at page 9 of the Final Office Action, that Tan describes a display area in Fig. 7. However, Tan appears to describe a data structure, wherein each node in a tree structure may be mapped to a single-link graph node having a pointer memory location and storing the graph nodes into a page memory to enable fast retrieval of multimedia objects stored in the page memory as graph nodes. See Tan, e.g., Abstract, and col. 3, lines 4-8. Tan appears to be *silent* with regard to a display or displaying the data structure stored in the page memory.

Furthermore, the Examiner alleges, at page 9 of the Final Office Action, that the displaying includes indenting the representation of the non-root managed device a predetermined distance away from the border, greater than the root distance and dependent upon the length of the dependency relationship in col. 4, lines 32-56; col. 5, lines 1-6; and Fig. 7. However, the Examiner *concedes*, at page 9 of the Final Office Action, that Tan does not teach provider and consumer relationships. Accordingly, Tan does not teach the recited relationships and the lengths of those relationships. Bishop does not cure this deficiency *at least* because Bishop

does not appear to teach the length of dependency relationships.

For *at least* the foregoing reasons, the rejection of claim 12 is improper and must be withdrawn. Neither Bishop nor Perttunen make up for these deficiencies of Tan, either alone or in combination with Tan. Independent claim 29 includes similar subject matter. Accordingly, the rejection of claim 29 is likewise improper and must be withdrawn for the reasons noted above with respect to claim 12. Claims 13-17, 30, and 31 depend from independent claims 12 or 29 and therefore are also patentable for the reasons noted above with respect to claim 1, as well as for the features they recite individually.

Conclusion

Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Date: Sept. 24, 2007

Respectfully submitted,

By: Brian Jelinek
Brian Jelinek
Registration No. 58,396

Customer No. 00909

PILLSBURY WINTHROP SHAW PITTMAN LLP
P.O. Box 10500
McLean, Virginia 22102
Main: 703-770-7900
Direct Dial: 703-770-7620
Fax: 703-770-7901